IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. :

Not Yet Assigned (PCT/JP2003/014921)

First Named Inventor :

Sadayuki AOKI

Filed

May 19, 2006

TC/A.U. Examiner Not Yet Assigned Not Yet Assigned

Docket No.

056208.57745US

Customer No.

: 23911

Title

Throttle Device and Motor Therefor

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R § 1.97 AND 1.98

Mail Stop PCT

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, the attached Form PTO-1449 lists documents which the Examiner may deem relevant to patentability of the claims of the above-identified application.

I. Time Period of Submission

This Information Disclosure Statement is submitted:

≥ 1) no later than three months from the application's filing date or 2) before the mailing date of the first Office Action on the merits (whichever is later) or 3) before a first Office Action after the filing of a Request for Continued Examination, and therefore no statement under 37 C.F.R. § 1.97(e) or fee under 37 C.F.R.§ 1.17(p) is required.
2) after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, a Notice of Allowance, or an action closing prosecution (Exparte Quayle), (whichever is earlier), and therefore Applicant is filing concurrently herewith:
a Statement under 37 C.F.R. § 1.97(e); or
a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).

3) after either a Final Office Action or a Notice of Allowance, but before payment of the Issue Fee, and therefore Applicant is submitting herewith:
a Statement under 37 C.F.R. § 1.97(e); and
a fee in the amount of \$180.00 under 37 C.F.R. § 1.17(p).
II. Statement Under 37 C.F.R. § 1.97(e)
I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement; or
I hereby state that no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making a reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement; or
III. Statement under 37 C.F.R. § 1.704(d)
I hereby state that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in 37 C.F.R. § 1.56(c) more than thirty days prior to the filing of this Information Disclosure Statement.
IV. <u>Submission of Non-English Language Documents</u>
∑ The following is a concise explanation of relevance of the non- English language documents listed in the attached Form PTO-1449:
The relevance of document(s) <u>AE-AF</u> to the subject matter of the present invention is/are provided in the specification of the above-identified application.
Corresponding foreign or international report(s) citing document(s) AA, AC, AD, and AF, together with an English-language version(s) (if not already in English) of that portion of the report(s) indicating the degree of relevance found by the foreign office(s) is/are submitted.
English language family member publication(s) of document(s) is/are noted on Form PTO-1449.

IAP PREEDERINTO 19 MAY 2006

English language abstract(s) is/are submitted for document(s) AC-AD .
English translation(s) of the foreign language document(s) is/are submitted herewith.
\boxtimes Applicant submits the following explanations: <u>Documents AE-AF corresponding to documents AA-AB</u> .
V. <u>Continuations/Divisionals</u>
Documents were of record in parent application Serial No, filed, from which this application claims benefit. As provided in 37 C.F.R. §1.98(d), copies of the documents are not being provided since they were previously submitted to or cited by the United States Patent and Trademark Office in the afore-mentioned parent application.
The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.
If necessary, this paper should be considered as an authorization to charge Deposit Account 05-1323, Attorney Docket No.: 056208.57745US, for the fee set forth in 37 C.F.R. § 1.17(p). Respectfully submitted,
May 19, 2006 Richard R. Diefendori Registration No. 82,390
CROWELL & MORING LLP Intellectual Property Group P.O. Box 14300 Washington, DC 20044-4300 Telephone No.: (202) 624-2500 Facsimile No.: (202) 628-8844

RRD:msy

10/580113 Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
to a collection of information unless it contains a walled OMB control augustation.

Unae	Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number						
Substitute	e for form 1449A/PTO			Co	mplete if Known		
[Application Number			
	NFORMATION DISC	LOS	URE	Filing Date	May 19, 2006		
STATEMENT BY APPLICANT				First Named Inventor	Sadayuki AOKI		
				Art Unit			
	(use as many sheets as ne	cessar	γ)	Examiner Name	·		
Sheet	1	of	2	Attorney Docket Number	056208.57745US		

			U.S. PATENT DOCU		
Examiner Initials'	Cite No.1	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
_	AA	US- 5,979,405	11-09-1999	Sato et al.	
	AB	US- 2002/0171059 A1	11-21-2002	Sakurai et al.	
		US-			

	FOREIG	SN PATENT DOO	CUMENTS		
	Foreign Patent Document			Pages, Columns,	
	Country Code ³ –Number ⁴ –Kind Code ⁵ (if known)			Where Relevant	τ°
Cite		Publication Date	Name of Patentee or	Relevant Figures	
No.1		MM-DD-YYYY	Applicant of Cited Document	Appear	
AC	JP 2001-346351	12-14-2001	Yoshihiro		Abstract
AD	JP 2002-161759	06-07-2002	Yasuhiro et al.		Abstract
AE	JP 10-252510	09-22-1998	Sato et al.	Corres. to AA	-
AF	JP2002-339766	11-27-2002	Sakurai et al.	Corres. to AB	
	AC AD AE	Foreign Patent Document	Foreign Patent Document	Foreign Patent Document Country Code ³ -Number ⁴ -Kind Code ⁵ (if known) Publication Date MM-DD-YYYY Applicant of Cited Document AC	Foreign Patent Document Country Code³-Number⁴-Kind Code ⁵(if known) Cite No.¹ Publication Date MM-DD-YYYY AC JP 2001-346351 Publication Date MM-DD-YYYY APPlicant of Cited Document 12-14-2001 Yoshihiro AD JP 2002-161759 06-07-2002 Yasuhiro et al. AE JP 10-252510 Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear Appear Corres. to AA

Examiner	<u> </u>	Date	
Signature		Considered	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. 1 Applicant's unique citation designation number (optional). 2 See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. 3 Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. 6 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Approved for use through 06/30/2006. OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for form 1449B/PTO					Complete if Known	
				Application Number		
	INFORMATION DISCL	OSI	IRE	Filing Date	May 19, 2006	
STATEMENT BY APPLICANT				First Named Inventor	Sadayuki AOKI	
				Art Unit		
(use as many sheets as necessary)			y)	Examiner Name		
Sheet	2 of 2		Attorney Docket Number	056208.57745US		

		NON PATENT LITERATURE DOCUMENTS	
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T²
	AG	International Search Report.	
	-		
Examiner Signature		Date Considered	

Signature		Considered		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

'Applicant's unique citation designation number (optional). 'Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.